

HLIG – 18 September 2012,

12.30 - 17.00

Venue: ALBERT BORSCHETTE Building, Room 3A, Brussels

12.30– 13.30 Sandwich Lunch - Meeting starts at 13.30

DRAFT ANNOTATED AGENDA

1. Opening remarks - Adoption of the agenda

2. ICANN issues:

•Preparation of upcoming Toronto meeting, October 2012 High-Level GAC meeting

The Government of Canada has formally announced that on 15 October 2012 it will host a "High Level GAC meeting" during the 45th ICANN meeting in Toronto (Canada). A draft agenda and concept paper has been distributed to GAC members. Members of the HLIG should (a) confirm at which level their Government will attend the High Level GAC meeting; (b) discuss the proposed agenda and (c) agree on a common European line concerning possible modifications to the agenda; (d) discuss how to develop a common input to the "Outcome Document", which is supposed to be one of the outputs of the High Level GAC meeting.

•GAC Early Warning

Following an agreement between the GAC and the ICANN Board, the GAC is now expected to issue Early Warnings on the list of applications for new generic Top Level Domains by the end of October. The Internet Informal Group (European GAC members) will hold a

preliminary phone conference before the meeting of the HLIG. Based on the results of these preliminary discussions, members of the High Level Group should identify common high-level principles to guide the deliberations of European GAC members and, if necessary, discuss new gTLD applications that prove to be particularly sensitive from a political point of view, if any.

•Membership of the GAC

During the 44th ICANN meeting in Prague (Czech Republic) the Chair, as well as some other members of the GAC, expressed their opinion that the rules for membership of the GAC were unclear. Questions were also raised concerning the status of existing GAC members. As a result, the GAC Chair created a Task Force to analyse Principles 14, 15 and 16 of the "GAC Operating Principles" to help the full GAC assess whether modifications would be necessary in order to ensure clarity and fairness. Some members of the HLIG are also members of this Task Force. Given the high-level political implications of any change to the GAC membership, members of the HLIG should (a) discuss whether any modifications to the current rules of the GAC are necessary; (b) agree on a common line concerning the status of existing and prospective members.

3. Internet Governance Forum

•Preparation of upcoming IGF 2012 meeting, Baku, November 2012

The 7th annual IGF meeting will take place in Baku, Azerbaijan, from 6-9 November 2012. The proposed theme for this IGF is "Internet Governance for Sustainable Human, Economic and Social Development". Azerbaijan has been accused of numerous violations of human rights, in particular related to the freedom of expression, as well as disrespect for the rule of law. Because of the presence at the Opening Ceremony of senior Azerbaijani officials that have condoned such behaviour, Vice President Neelie Kroes will not attend the Opening Ceremony and the Opening Session (in which the EU Commissioner traditionally enjoys a speaking slot) The Commission would like to exchange views with MS concerning their representation at Ministerial level as well as their expected roles in the abovementioned events.

The Commission is planning to attend a number of IGF pre-events and Open Fora and has proposed the following workshops in cooperation with a number of stakeholders:

Workshop 111 - Protecting the rule of law in the online environment; proposed by EuroISPA. It will discuss different issues related to the liability of Internet intermediaries. The workshop has been identified as a feeder workshop. For this reason a rapporteur (Malcom Hutto, Executive Director London Internet Exchange Point) will draft a workshop report and present the conclusions during the main session.

Workshop 112 - Evaluating Internet Freedom Initiatives: What works? Proposed by Ben Wagner from the European University Institute. It will constitute an opportunity to promote the No Disconnect Strategy and to exchange information about similar Internet Freedom initiatives in different countries.

Workshop 115 - Media pluralism and freedom of expression in the Internet age; Proposed by Andrea Renda from the Centre of the European Policy Studies. It will discuss different issues related to the issue of plurality of media, which is currently addressed by the High Level Group on Media Freedom and Pluralism.

Workshop 116 - An industry-led approach for making the Internet a better place for kids; proposed CONNECT G4, Child Protection unit, and it will discuss the responsibility of different actors in the area of child protection on the Internet. The workshop will also touch upon the balance between child protection and freedom of expression.

●Enhanced cooperation

At the HLLG meeting of 31 May 2012, the European Commission reported on the discussions at the CSTD Workshop on Enhanced Cooperation (18 May, Geneva) and during the CSTD Session (21-25 May, Geneva). These highlighted the need for a better understanding of the key elements of enhanced cooperation; in particular, what is the current landscape and if there are already fora/processes/mechanisms through which governments and public authorities can discuss (at the global or regional level as appropriate, ensuring the inclusion of all governments and the consultation of all stakeholders) on Internet-related public policy matters.

Under this perspective, the Commission suggested to organise a "mapping" exercise that will help Europe define and defend more coherently and effectively its position in the months to come. Group Members welcomed the idea.

Against this background, the Commission will present the current "state of play", including the organisation of an "Open Forum" during the Internet Governance Forum 2012 in Baku and the possible participation to the pre-event on "Enhanced Cooperation". The views and input of HLLG members will help refining further work in this area.

4. World Conference on International Telecommunications 2012, Dubai, December 2012 - review of the ITRs

Information point.

The Commission adopted a Proposal for a Council Decision establishing the EU Position for the review of the International Telecommunications Regulations to be taken at the World Conference on International Telecommunications or its preparatory instance. The first

discussion on this Proposed Decision took place at the meeting of the Council telecommunications working group on 7th September and a second discussion was held on 13th September.

As there are aspects of the ITRs that related directly to issues covered by the EU *acquis*, in particular the Framework for electronic communications, the EU needs to ensure that any proposed changes to the ITRs that may be agreed in Dubai do not conflict with applicable legislation in the EU or restrict the EU as to the future development of the EU *acquis*. It is also important that the EU's role in the Dubai conference reflects the provisions of the Lisbon Treaty in relation to non-CFSP EU external relations with third countries. These issues have already been raised with the HLIG and with EU delegates in CEPT.

The Commission will report on the discussions in the Council Working Group and outline the next steps in the EU process.

5. EURODIG

Reporting on event for national IGFs, held in Stockholm June 2012 and state of play of the cooperation between the Council of Europe and Commission

On 13 June 2012, the European Commission and the Council of Europe organized a EuroDIG pre-event on the role of national IGFs. The meeting was chaired by Linda Corugedo Steneberg (CONNECT D Director – Cooperation) and by Lee Hibbard (Council of Europe). As opening remarks, participants to the meeting presented their current activities related to existing or planned national IGFs. Currently, the following countries from the region of the Council of Europe organize national IGFs: DE, DK, ES, FI, IS, IT, NL, PT, RS (for the first time in 2012), UK, RU, UA. Additionally, RO might organise its first national IGF in September 2012. During the pre-event, several factors were mentioned as obstacles for the functioning and creation of national IGFs and a number of solutions were proposed. On the basis of such interim conclusions the Commission and the Council of Europe have agreed on providing support to national IGFs and have exchanged views on the best way to proceed during the rest of 2012 and in 2013. The basis of such cooperation will be to better link national IGFs with EuroDIG, and subsequently with the annual IGF. The current state of play of such cooperative framework will be shared with HLIG members. In addition, the Commission would like to have feedback on the level of maturity of national IGFs and welcomes suggestions to support the enhancement of their activities.

6. AOB

- Debrief on Neelie Kroes' meeting with new ICANN CEO Mr Fadi Chehadé